

MINUTES OF THE MONTHLY MEETING OF THE
TRINIDAD PLANNING COMMISSION
Wednesday, April 18, 2018

I. CALL TO ORDER/ROLL CALL (6:00pm)

Commissioners Present: Johnson, Graves, Stockness, Gregory

Commissioners Absent: None

Staff: Parker, Gunderson

II. APPROVAL OF MINUTES

March 29, 2018

Commissioner Johnson asked Commissioner Graves if there had been any follow-up to his discussion with the City Manager regarding Measure Z funding; Commissioner Graves responded in the negative. Commissioner Johnson noted that the Commission had continued the issue of voting for a Vice Chair, but that it was not on this month's agenda. Commissioner Stockness asked if any action had been taken by the Council towards forming an STR committee to review complaints; Parker responded affirmatively. Planner Parker noted that the signature line of the minutes should be changed to "John Graves, Planning Commission Chair."

Motion (Johnson/Stockness) to approve the minutes as amended.

Passed unanimously (4-0).

III. APPROVAL OF AGENDA

Motion (Stockness/Johnson) to approve the agenda.

Passed unanimously (4-0).

IV. ITEMS FROM THE FLOOR

None.

V. AGENDA ITEMS

1. Policies for Detached Living Spaces: As directed by the City Council, an initial discussion to develop clear policy recommendations about permitting detached living space to minimize the potential for these spaces to be utilized as separate dwelling units and add enforcement fines and/or fees for violators. *Continued from the March meeting.*

Parker provided an overview of the ongoing conversation about the policies for detached living spaces. In her staff report, she stated that the Planning Commission had generally agreed on a definition of a kitchen and a standard set of conditions of approval for future applications for detached living spaces at their last meeting. The Commission had requested she prepare policy documents reflecting these decisions for approval. She presented these policies for Commission discussion. Parker noted that the Commission had not had much chance to discuss Administrative Rules

under the STR ordinance or enforcement and fines at the last meeting. She provided several examples of administrative fine ordinances in the Agenda packet.

Commissioner Comments/Questions

Commissioner Johnson requested clarification from Planner Parker regarding how adoption of these policies would apply to the zoning ordinance. Parker replied that these policies would be incorporated into a future ordinance amendment to codify them, but in the meantime, the purpose of these policies is to provide an interpretation of the rules for Staff to implement and enforce.

Commissioner Johnson also stated his concern about the open-ended inspection requirement, because it could be abused. Parker added that only detached living spaces may be inspected with a 24-hour notice, and that would typically be due to a complaint about the property.

Public Comment

None.

Commissioner Discussion

The Commissioners discussed the questions and suggestions that Parker provided on the Draft Kitchen Definition Policy. With some discussion, the Commission agreed on the list of appliances. A suggestion of including an amount of cabinet and counter space as a criterion was rejected by unanimous agreement of the Commissioners. This limitation was also deleted from the definition of Wet Bars. The phrase, "except for single-purpose refrigerator units such as wine storage units" was added to the description of Wet Bars. The exceptions were agreed upon by all Commissioners, with the modification of "City Manager" replacing "director." It was unanimously decided that the number of kitchens shall be only one per approved dwelling unit unless an exception is granted by the Planning Commission.

Regarding the Standard Conditions for Detached Living Spaces, the Commissioners unanimously agreed on the Draft Policy language as prepared by Parker.

The 'Administrative Rules for STRs' and 'Enforcement and Fines' were discussed by the Commissioners. Using several examples, Planner Parker stressed the importance to Staff of having clear rules, or interpretations of them, that can then be used to respond to complaints and then enforced.

Public Comment

M. McHenry (407 Ocean) asked about the 24-hour contact requirement, noting that she has an owner-occupied STR. She also stated that she had not noticed an overpopulation problem in town.

Commissioner Discussion

The Commission did not think that the existing situations used as examples constituted a serious issue, because they generally complied with the letter of the law. In addition, the Commission did not want to add new rules when existing rules weren't being enforced. The Commissioners decided not to make a recommendation to the City Manager on Administrative Rules at this time. However, there was a discussion about the difficulties and lack of enforcement in the City. Eventually, the discussion was boiled down to the following motion:

Motion (Stockness, Johnson): The Planning Commission finds that real-time enforcement and complaint follow-up is critical to public safety and the well-being of the Trinidad community and recommends that the City Manager and City Council pursue Measure Z funding for a code enforcement officer and additional law-enforcement coverage, and immediately engage the Sherriff's Office to negotiate increased patrols that include enforcement of City codes as well as other applicable laws.

Passed unanimously (4-0).

The Commissioners continued their discussion on fines and administrative fine ordinances. The Commission generally agreed that the one provided from the City of Arcata was too confusing, but they liked parts of the other three.

Motion (Johnson, Gregory): The Planning Commission recommends that the City Council adopt and implement a comprehensive administrative fine ordinance.

Passed unanimously (4-0).

VI. COUNCIL REPORT

Parker states that the City Council voted to form a standing sub-committee to address and respond to complaints regarding STRs. They want a Planning Commissioner to Chair the committee. The committee will be comprised of a Planning Commissioner, two members of the public, and two managers/owners of STRs.

The Council also voted to extend the Verizon lease on Trinidad Head. They had previously voted to terminate the lease, however Verizon asked for an extension of time to develop additional sites to supplement the coverage loss.

City staff are moving forward with round two of the LCP grant and the Van Wyke Trail repair CEQA document. The City is also working towards securing a federal funding match for Phase 2 of the stormwater project and will be completing a NEPA document for USDA funding.

VII. STAFF REPORT

Staff is working on implementation of the OWTS Management Program and making good progress.

A list of issues and a timetable for the General Plan Update was provided for the City Council and will also be provided to the Planning Commissioners. The grant deadline is in October, so the City needs to be making steps toward completion. Little input has been provided for the Cultural Resources Element.

Commissioner Graves notes that Mercer-Fraser withdrew their proposal for industrial zoning along the Mad River. He also noted that the Coastal Commission recently approved an ordinance of the City of Santa Cruz banning new, unhosted STRs against staff recommendations.

VIII. FUTURE AGENDA ITEMS

Selection of a new Vice-chair.

IX. ADJOURNMENT

The meeting was adjourned at 7:55.

Submitted by:

Cheryl Gunderson

Interim Secretary to Planning Commission

Approved by:

Original signed by:

John Graves

Planning Commission Chair